

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION**

<b>JASON MCDANIEL,</b>	)	
	)	
Plaintiff,	)	Case No.: 20-cv-50079
	)	
-vs-	)	Judge:
	)	
<b>TARGET CORPORATION,</b> a foreign	)	Magistrate Judge:
corporation, d/b/a TARGET STORES,	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. § 1441, *et seq.*, and 28 U.S.C. § 1332, Defendant, **TARGET CORPORATION**, by and through one of its attorneys, Michael J. Linneman of JOHNSON & BELL, LTD., hereby gives notice of the removal of the above captioned action from the Circuit Court of McHenry County, Cause No.: 20 LA 000026, to the United States District Court, Northern District of Illinois, Western Division, and in support thereof, states the following:

1. This action is being removed to federal court based upon the diversity of citizenship of the parties to this cause, and the existence of the requisite amount in controversy, as is also more fully set forth below.

2. On or about January 30, 2020, Plaintiff, Jason McDaniel, initiated the above captioned lawsuit by the filing of a Complaint entitled *Jason McDaniel v. Target Corporation, a foreign corporation, d/b/a Target Stores*, Docket No. 20 LA 000026, in the Circuit Court of McHenry County, Illinois. *A copy of the Complaint at Law is attached hereto as Exhibit "A" and incorporated herein by reference.*

3. On or about January 30, 2020, Plaintiff caused a Summons to be issued for service upon the registered agent of Target Corporation. *A copy of said Summons is attached hereto as Exhibit "B" and incorporated herein by reference.*

3. Service was obtained on Target Corporation's registered agent on February 3, 2020.

4. The United States District Court for the Northern District of Illinois, Western Division, has jurisdiction over the above captioned lawsuit pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1441 for the following reasons:

- (a) Plaintiff, Jason McDaniel, at the time the lawsuit was commenced and at all relevant times, has been a resident and citizen of the State of Illinois;
- (b) Defendant, Target Corporation, at the time the lawsuit was commenced and at all relevant times, has been a Minnesota corporation with its principal place of business in Minnesota; therefore, for diversity of citizenship purposes, it is a citizen of the State of Minnesota;
- (c) According to the allegations contained in Plaintiff's Complaint herein, the amount of damages sought in this action by Plaintiff is in an amount in excess of the Court's minimal jurisdictional limit of \$50,000.00. Plaintiff, Jason McDaniel, claims to have suffered severe injuries and damages both internally and externally, of a permanent and lasting nature, which have caused and will continue to cause pain in body and mind and have caused and in the future will cause Plaintiff to expend large sums of money for the care and treatment of said injuries. Plaintiff further claims that his injuries have and will prevent him from attending to his usual affairs and duties. (Ex. A, para. 10 of Plaintiff's Complaint.) Such allegations that Plaintiff has sustained a permanent injury are sufficient to trigger the duty to remove the case. *McCoy v. General Motors Corp.*, 226 F. Supp. 2d 939 (N.D. Ill. 2002); *Varkalis v. Werner Co. & Lowe's Home Center*, No. 10-cv-3331, 2010 WL 3273493 (N.D. Ill. Aug. 18, 2010), a copy of which decision is attached hereto as Exhibit "C";
- (d) Based upon the foregoing, it is Defendant's good faith belief that while liability, causation, and damages will be contested, the amount in controversy in this action exceeds \$75,000.00, exclusive of interest and costs;
- (e) This Notice of Removal is being filed with the Clerk of the United States District Court for the Northern District of Illinois, Western Division, within thirty (30) days of service of the Summons and Complaint on this Defendant;

- (f) This action, based upon diversity of citizenship and the amount in controversy is, therefore, properly removable, pursuant to 28 U.S.C. § 1441(a).

5. Defendant will promptly file a copy of this Notice of Removal with the Clerk of the Circuit Court of McHenry County, Illinois.

**WHEREFORE, TARGET CORPORATION,** respectfully requests that this case proceed before this Court as an action properly removed.

Respectfully submitted,

JOHNSON & BELL, LTD.

By: /s/ Michael J. Linneman  
One of the Attorneys for the Defendant,  
Target Corporation

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